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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/745,493	12/22/2000	Nitin J. Shah	15685P070	1377

43831 7590 03/15/2007

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EXAMINER	
DAO, MINH D	

ART UNIT	PAPER NUMBER
2618	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/15/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	09/745,493	SHAH, NITIN J.	
	Examiner	Art Unit	
	MINH D. DAO	2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *02 January 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☐ Claim(s) _____ is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *1-8* is/are allowed.

6)☒ Claim(s) *9-19,21-69* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Response to Arguments

1. Applicant's arguments filed 01/02/07 with respect to claims 9-19,21-53-69 have been considered but are moot in view of the new ground(s) of rejection.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 9-19, 21, 22, 54-56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chmaytelli (US 6,233,464) in view of Namekawa et al. (US 5,519,763) and further in view of Skinner et al. (US 6,928,300).

Regarding claim 9, Chmaytelli teaches a method for selectively disabling the wireless communication functionality of an integrated portable computing-communication device (see figs 1 and 2; col. 2, lines 25-34, lines 47-50), the method comprising: enabling a first mode of operation in which both wireless communication functionality and local

functionality of the device are enabled (see col. 3, lines 34-45; see option 1 where the PDA and the telephone are on when the stylus is removed); enabling a second mode of operation in which the communication functionality is disabled and the local functionality is enabled (see col. 3, lines 34-45); and switching between the first and second modes of operation (as stated in col. 3, lines 34-45, the action of removing and replacing the stylus into its holder creates at least two modes of operations.). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to set the functionality combinations of the device of Chmaytelli, as allowed by Chmaytelli, in order to obtain more options that fulfill the needs of the user.

Still regarding claim 9, Chmaytelli does not mention enabling a second mode of operation in which the communication functionality is disabled and the local functionality is enabled. Skinner, in an analogous art, teaches a device including a PDA and a cell phone which can be set so that the cell phone is turned off in certain areas or according to a schedule (see Abstract; figs. 3-5; col. 2, lines 21-42; col. 9, lines 19-22). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to provide the above teaching of Skinner to Chmaytelli in order for the combined system to enable users to switch off their cell phone in a certain area while user still capable of using the device for as a PDA as taught by Skinner.

Still regarding claim 9, Chmaytelli and Skinner fails to teach switching between the first and second modes of operation in response to a signal broadcast in a particular region.

Namekawa, in an analogous art, teaches switching between fax and telephone mode in response to an external wireless device that demodulates the fax signals to signals suited for wireless communication (see abstract of Namekawa; also see fig. 1; col. 5, lines 29-54). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to provide the above teaching of Namekawa to Chmaytelli in order for the combined system to conveniently compatibly accept fax signals.

Regarding claim 10, the combination of Chmaytelli, Skinner and Namekawa teaches the method of claim 9, further comprising providing a third mode of operation in which neither the wireless communication functionality nor the local functionality of the device is enabled (see Chmaytelli, col. 3, lines 43-45).

Regarding claim 11, the combination of Chmaytelli, Skinner and Namekawa teaches the method of claim 9, wherein selectively switching between the first and second modes of operation comprises: in the first mode of operation, providing power to a computing unit and a radio communication unit of the integrated portable computing-communication device, wherein the computing unit provides the local functionality and the radio communication unit provides the communication functionality; and in the second mode of operation, providing power to the computing unit, and not providing power to the communication unit (reference Chmaytelli, col. 3, lines 33-35, when the PDA and the telephone are on; also see figs. 2,3,4).

Regarding claim 12, the combination of Chmaytelli, Skinner and Namekawa teaches the method of claim 9, wherein selectively switching between the first and second modes of operation comprises disabling at least a portion of a radio communication unit that provides the communication functionality in the second mode of operation (see Chmaytelli, col. 6, lines 6-24).

Regarding claims 13-16, the cellular communication technology is inherently known to provides data transfer between the mobile units and a network that is capable of carrying data, voice and Internet communication so that in the first mode of operation, the wireless telephone of Chmaytelli, Skinner and Namekawa would provide the capabilities mentioned above for the benefit of pleasing cellular customers with variety of choices to communicate from one party to another.

Regarding claim 17, the claim is the apparatus claim of claim 9, therefore it is interpreted and rejected for the same reason set forth in the rejection of claim 9. In addition, Namekawa also teaches a selection means triggered by an external entity (see Namekawa, fig. 1; col. 5, lines 29-54).

Regarding claim 18, the combination of Chmaytelli, Skinner and Namekawa teaches the apparatus of claim 17, wherein the selection means comprises a switching means to

switch between the first and second modes of operation (see Chmaytelli, figs. 2,3, and 4 of Chmaytelli).

Regarding claim 19, the combination of Chmaytelli, Skinner and Namekawa teaches the apparatus of claim 18, wherein the switching means is coupled to a power supply means, the switching means to disable the supply of power from the power supply means to at least a portion of the second means (see figs. 2,3, and 4 of Chmaytelli).

Regarding claim 21, the combination of Chmaytelli, Skinner and Namekawa teaches that the external entity comprises a transmitter to transmit a signal to trigger the selection means to select between the first and second modes of operation (see Namekawa, fig. 1; col. 5, lines 29-54).

Regarding claim 22, the combination of Chmaytelli, Skinner and Namekawa teaches the apparatus of claim 17, further comprising an indication means for indicating whether the apparatus is operating in the first or the second mode of operation (see Chmaytelli, col. 2, lines 6-18).

Regarding claim 54, the remarks filed 01/02/07 admits that the limitations of claims 54 is similar to claim 9 of the invention, and therefore claim 54 is interpreted and rejected for the same reason set forth in the rejection of claim 9.

Regarding claim 55, it is well known in the art that the switch is operated to selectively increase/decrease the shielding of the antenna. Please refer to US 5,420,599.

Regarding claim 56, the claim has the limitation as that of claim 19, therefore it is interpreted and rejected for the same reason set forth in the rejection of claim 19.

3. Claims 23-53, 57-69 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chmaytelli (US 6,233,464) in view of Steer et al. (US 6,343,213).

Regarding claim 23, Chmaytelli teaches an integrated device combining user-operated computing functionality and wireless communication, a method comprising: enabling access to user-operated computing functionality and access to sending and receiving wireless signals (see col. 3, lines 34-45). However, Chmaytelli fails to teach subsequently disabling the access to sending wireless signals; while simultaneously maintaining the access to receiving wireless signals. Steer, in an analogous art, teaches inhibiting a mobile device from transmitting while still capable of receiving in a certain zone (see Abstract; col. 3, lines 54-67). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to provide the above teaching of Steer to Chmaytelli in order for the combined system to avoid interference to other RF equipment within a protected area as taught by Skinner.

Regarding claim 24, the combination of Chmaytelli and Steer teaches the method of claim 23, wherein disabling the access to the receiving wireless signals comprises disabling at least a portion of a radio frequency (RF) unit (see Chmaytelli, col. 6, lines 6-24).

Regarding claim 25, the combination of Chmaytelli and Steer teaches the method of claim 24, wherein disabling the portion of the RF unit comprises disabling the portion of the RF unit with a switch (see Chmaytelli, figs. 2-4).

Regarding claims 26,27,28 once the power supporting the radio communication is turned off the entire RF circuitry should be off including the oscillator. In addition, the computer of Matsuo is capable of organizing the above functions when combined with Chmaytelli.

Regarding claims 29 and 30, the claims have the limitation as that of claim 26, therefore it is interpreted and rejected for the same reason set forth in the rejection of claim 26. Similar to rejection of claim 26, when the power supporting the radio communication is turned off the entire RF circuitry should be off including the antenna.

Regarding claims 31 and 32, Chmaytelli does not mention disabling access to making and receiving calls by increasing the shielding of the antenna. However, it is inherently known in the art that when an antenna is retracted form its operating extended position

into its housing, the housing will act as shielding mechanism to prevent radio waves from transmitting/receiving to/from a communication device.

Regarding claim 33, the combination of Chmaytelli and Steer teaches disabling the access to the making and receiving wireless calls comprises disabling the access in response to selection of a soft key on the device (see fig. 2 of Chmaytelli, in this case the stylus action trigger and the switch reads on the soft key of the device).

Regarding claim 34, the combination of Chmaytelli and Steer teaches disabling the access to the making and receiving wireless calls comprises disabling the access in response to toggling of a mechanical switch on the device (see fig. 2 of Chmaytelli, also see col. 2, lines 6-18).

Regarding claim 35, the claim has the limitation as that of claim 34, therefore it is interpreted and rejected for the same reason set forth in the rejection of claim 34.

Regarding claim 36, the claim has the limitation as that of claim 13, therefore it is interpreted and rejected for the same reason set forth in the rejection of claim 13.

Regarding claim 37, the claim has the limitation as that of claim 23, therefore it is interpreted and rejected for the same reason set forth in the rejection of claim 23.

Regarding claim 38, the combination of Chmaytelli and Steer teaches the content to provide instructions to result in the integrated device performing operations including disabling the access to sending wireless signals comprises the content to provide instructions to result in the integrated device performing operations including disabling at least, a portion of a radio frequency (RF) unit (see Abstract; col. 3, lines 54-67 of Steer).

Regarding claim 39, the claim has the limitation as that of claim 38, therefore it is interpreted and rejected for the same reason set forth in the rejection of claim 38.

Regarding claim 40, the claim has the limitation as that of claim 38, therefore it is interpreted and rejected for the same reason set forth in the rejection of claim 38.

Regarding claim 41, the claim has the limitation as that of claim 38, therefore it is interpreted and rejected for the same reason set forth in the rejection of claim 38. Also see the rejection of claim 29

Regarding claim 42, the claim has the limitation as that of claim 33, therefore it is interpreted and rejected for the same reason set forth in the rejection of claim 33.

Regarding claim 43, the claim has the limitation as that of claim 34, therefore it is interpreted and rejected for the same reason set forth in the rejection of claim 34.

Regarding claim 44, the claim has the limitation as that of claim 35, therefore it is interpreted and rejected for the same reason set forth in the rejection of claim 35.

Regarding claim 45, the claim has the limitation as that of claim 37, therefore it is interpreted and rejected for the same reason set forth in the rejection of claim 37.

Regarding claim 46, the claim has the limitation as that of claim 38, therefore it is interpreted and rejected for the same reason set forth in the rejection of claim 38.

Regarding claim 47, the claim has the limitation as that of claim 40, therefore it is interpreted and rejected for the same reason set forth in the rejection of claim 40.

Regarding claim 48, the claim has the limitation as that of claim 24, therefore it is interpreted and rejected for the same reason set forth in the rejection of claim 24.

Regarding claim 49, the claim has the limitation as that of claim 29, therefore it is interpreted and rejected for the same reason set forth in the rejection of claim 29.

Regarding claim 50, the claim has the limitation as that of claim 30, therefore it is interpreted and rejected for the same reason set forth in the rejection of claim 30.

Regarding claim 51, the claim has the limitation as that of claim 31, therefore it is interpreted and rejected for the same reason set forth in the rejection of claim 31.

Regarding claim 52, the claim has the limitation as that of claim 35, therefore it is interpreted and rejected for the same reason set forth in the rejection of claim 35.

Regarding claim 53, the claim has the limitation as that of claim 26, therefore it is interpreted and rejected for the same reason set forth in the rejection of claim 26.

Regarding claim 57, the claim has the limitation as that of claim 23, therefore it is interpreted and rejected for the same reason set forth in the rejection of claim 23.

Regarding claim 58, the claim has the limitation as that of claim 48, therefore it is interpreted and rejected for the same reason set forth in the rejection of claim 48.

Regarding claims 59,60,61,62, the claims have the limitation as that of claim 48, therefore it is interpreted and rejected for the same reason set forth in the rejection of claim 48.

Regarding claim 63, combination of Chmaytelli and Steer teaches the method of claim 57, wherein detecting the event comprises detecting a user input (see Chmaytelli, figs. 1-4).

Regarding claim 64, the claim has the limitation as that of claim 36, therefore it is interpreted and rejected for the same reason set forth in the rejection of claim 36.

Regarding claim 65, the claim has the limitation as that of claim 9, therefore it is interpreted and rejected for the same reason set forth in the rejection of claim 9 regardless of where the application is implemented. In addition the combination of Chmaytelli and Steer also teaches automatically switching between modes (see Abstract; col. 3, lines 54-67 of Steer; also see Chmaytelli).

Regarding claims 66 and 67, see fig. 2 of Chmaytelli.

Regarding claim 68, the claim has the limitation as that of claim 53, therefore it is interpreted and rejected for the same reason set forth in the rejection of claim 53.

Regarding claim 69, the combination of Chmaytelli and Steer teaches the method of claim 65, wherein the trigger received at the device comprises a signal received automatically from an external entity (see Abstract; col. 3, lines 54-67 of Steer; also see Chmaytelli).

Allowable Subject Matter

4. Claims 1-8 are allowed for the reason stated in applicant's remarks filed 06/14/06.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MINH D. DAO whose telephone number is 571-272-7851. The examiner can normally be reached on 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MATTHEW ANDERSON can be reached on 571-272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Minh Dao MDD
AU 2618
March 13, 2007

Matthew Anderson
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